

FILED
NOV 29 2010

Clerk

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH DAKOTA
SOUTHERN DIVISION

UNITED STATES OF AMERICA,

CR 10-40126

Plaintiff,

INFORMATION

vs.

Mail Fraud; Forfeiture

DAVID BEULKE,

18 U.S.C. § 1341

Defendant.

The Assistant United States Attorney charges and informs the Court:

Beginning on or about February 1, 1993, and continuing through approximately September 30, 2008, in the District of South Dakota and elsewhere, the Defendant, David Beulke, did willfully and unlawfully devise and intend to devise a scheme and artifice to defraud for obtaining money and property by means of false and fraudulent pretenses, representations, and promises. Throughout the relevant time period, the Defendant was employed by 3M Corporation (“3M”) as an engineer. He created businesses and held them out to 3M as legitimate vendors of specialized parts. The Defendant caused 3M to place orders for supposed parts from his created businesses, knowing those orders were fraudulent. He kept the money 3M sent for the supposed parts for his own personal use. He initially deposited the money into various accounts, spent some on purchases and other personal expenses, and transferred a large amount of

those funds into a variety of investment and retirement accounts. For the purpose of executing the above-described scheme and artifice to defraud, the Defendant caused to be sent and delivered via the United States Postal Service the following checks, among others:

Date Check Issued by 3M	Beulke's Business Entity to Which Check Was Made Payable	Amount
July 8, 2008	Tri-State Technology	\$8,442.90
October 10, 2008	TNC Industrial Services	\$7,886.40

all in violation of 18 U.S.C. § 1341.

FORFEITURE ALLEGATIONS

1. The above allegations are hereby realleged and incorporated by reference for the purpose of alleging forfeitures pursuant to 18 U.S.C. §§ 981(a)(1)(C), 981(a)(1)(D), and 28 U.S.C. § 2461(c).

2. Upon conviction of the offense in violation of 18 U.S.C. § 1341, set forth in this Information, the Defendant, David Beulke, shall forfeit to the United States pursuant to 18 U.S.C. §§ 981(a)(1)(C) and 981(a)(1)(D), and 28 U.S.C. § 2461(c):

a. all property, real and personal, that constitutes and is derived from proceeds obtained, directly and indirectly, and traceable to the offense;

- b. all property, real and personal, that was used and intended to be used, in any manner and part, to commit, facilitate, and promote commission of the offense; and
- c. all property that constitutes and is derived from any proceeds obtained, directly and indirectly, as a result of the offense, and that is traceable to gross profits and other proceeds obtained from the offense.

3. The personal property forfeited shall include \$2,479,690.72 that has been seized by the Government from various accounts, including but not limited to the following:

- a. All funds seized from the following accounts, located at First National Bank, also known as First Bank and Trust, Brookings, SD:
 - i. #543047, David and Linda Beulke (checking)
 - ii. #9503358, David and Linda Beulke (money market savings)
 - iii. #1062646, David and Linda Beulke (savings)
 - iv. #40000920303, David A. Beulke (defined benefit plan)
 - v. #48000930303 David A. Beulke (IRA)
(Certificates of Deposit #119990, 118398)

- vi. Certificate of Deposit #1170124959
- b. All funds seized from the following account, located at First Premier Bank, Sioux Falls, SD:
 - i. #1801638165, Tri-State Technology
- c. All funds seized from the following account, located at Wells Fargo Bank, Sioux Falls, SD:
 - i. #1780254422, TNC Industrial
- d. All funds seized from the following account, located at U.S. Bank, Sioux Falls, SD:
 - i. #1-750-9559-1921, TNC Industrial
- e. All funds seized from the following accounts, located at Charles Schwab and Company, San Francisco, CA:
 - i. IRA#1567-1305, David Alfred Beulke
 - ii. #1567-1309, David Alfred Beulke and Linda K. Beulke
 - iii. #1567-1312, David Alfred Beulke and Technicraft/TNC
 - iv. #2705-0358, David A. Beulke (Defined Benefit Plan)
 - v. #6057-2342, David A. Beulke and Technicraft/TNC

- vi. #6123-2733, Anne Katherine Beulke (Roth IRA)
- vii. #6168-1529, Jane Beulke (Roth IRA)
- viii. #8132-4441, Linda K. Beulke (IRA)
- ix. #9100-5836, David Beulke (IRA)
- x. #6057-5342, David Alfred Beulke and
Technicraft/TNC Industries
- xi. #2289-6111, David Beulke (IRA)

f. All funds seized from the following accounts, located at
Janus, Denver, CO:

- i. #201545031-3, aka #201545031, David A.
Beulke and Linda K. Beulke (joint trust)
- ii. #151546000-8, Linda K. Beulke (trust)

g. All funds seized from the following account, located at
American Stock Transfer & Trust, Brooklyn, NY:

- i. #3400971918, David Beulke

5. If any of the property described above, as a result of any act and
omission of the Defendants:

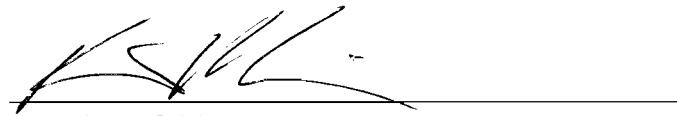
- a. cannot be located upon the exercise of due diligence;
- b. has been transferred and sold to, and deposited with, a third
party;
- c. has been placed beyond the jurisdiction of the Court;

- d. has been substantially diminished in value; and
- e. has been commingled with other property that cannot be divided without difficulty,

6. The United States of America shall be entitled to forfeiture of substitute property, all pursuant to 21 U.S.C. § 853(p), as incorporated by 28 U.S.C. § 2461(c), all pursuant to 18 U.S.C. §§ 981(a)(1)(C), 981(a)(1)(D), and 28 U.S.C. § 2461(c).

Dated at Sioux Falls, South Dakota this 29th day of November, 2010.

BRENDAN V. JOHNSON
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